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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/816,291	04/01/2004	Shailendra Mathur	A2003015(2)	8582

26643 7590 02/07/2007
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EXAMINER

SALOMON, PHENUEL S

ART UNIT	PAPER NUMBER
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2109

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/07/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/816,291	Applicant(s) MATHUR, SHAILENDRA	
	Examiner Phenuel S. Salomon	Art Unit 2109	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 4/1/04.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 4/1/04 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to the original filing of April 1, 2004. Claims 1-5 are pending and have been considered below.

Objections

2. The use of the trademark [for example IntelTM, IBMTM, etc....] has been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology.

Although the use of trademark is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner, which might adversely affect their validity as trademarks.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Examiner's Note. The Applicant appears to be attempting to invoke 35 U.S.C. 112 6th paragraph in Claim 1 by using "means-plus-function" language. However, the Examiner notes that the only "means" for performing these cited functions in the specification appears to be computer program modules. While the claim passes the first test of the three-prong test used to determine invocation of paragraph 6, since no

Art Unit: 2109

other specific structural limitations are disclosed in the specification, the claim does not meet the other tests of the three-prong test. Therefore, 35 U.S.C. 112 6th paragraph has not been invoked when considering the claim below.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102(b) that form the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Rogers et al. (US 6,133,914).

Claim 1: Rogers discloses a graphical user interface comprising:

an editing window (col.7, lines 48-55);

means for enabling a user to specify in the editing window one or more transformation hierarchies (tree) including one or more transformations, wherein a transformation provides transformation data as an output (col.10, lines 30-41);

means for enabling a user to specify in the editing window and one or more effects trees (variables), wherein at least one effect in the effect tree has one or more inputs for receiving transformation data and has a local transformation specification that is combined with the received transformation data (col.10, lines 41-64); and

means for enabling a user to connect an output of a transformation to an input of an effect for receiving the transformation data (col.11, lines 4-12).

Art Unit: 2109

Claim 2: Rogers discloses a graphical user interface as in claim 1 above, wherein an effect also has an input for receiving image data and an output for providing the received image data processed according to the transformation data (see fig. 10).

Claim 3: Rogers discloses a graphical user interface as in claim 1 above, wherein the received transformation data is combined with the local transformation specification of the effect as a pre-transform (col.12, lines 31-49).

Claim 4: Rogers discloses a graphical user interface as in claim 1 above, wherein the received transformation data is combined with the local transformation specification of the effect as a post-transform (col. 15, lines 33-60).

Claim 5: Rogers discloses a graphical user interface as in claim 1 above, wherein transforms in a transformation hierarchy and effects in an effect tree are both kinds of time-varying objects (col.13, lines 15-31).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Martin (US 5,668,639) discloses method for video editing.
- b. Hermanson (US 5,892,506) discloses multitrack architecture for computer-based editing of multimedia sequences.
- c. Tenev et al. (US 6,377,259 B2) discloses Presenting node-link structures with modification.
- d. Chasen et al. (US 6,760,721 B1) discloses System and Method of managing metadata.

Art Unit: 2109

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phenuel S. Salomon whose telephone number is (571) 270-1699. The examiner can normally be reached on Mon-Fri 7:00 A.M. to 4:00 P.M.(Alternate Friday Off) EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Myhre can be reached on (571) 270-1065. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3800.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PSS
1/30/2007



James W. Myrhe
Supervisory Primary Examiner